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# HONOLULU Library & Reading Room ASSOCIATION EVENING BULLETIN

The Best Eight Page  
Evening Paper Published  
on the Hawaiian Islands.  
Subscription 75c. a month.

VOL. II. No. 410.

HONOLULU, H. I., THURSDAY, SEPTEMBER 17, 1896.

PRICE 5 CENTS.

## THE EVENING BULLETIN.

Published every day except Sunday at  
210 King Street, Honolulu, H. I.  
SUBSCRIPTION RATES.  
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## LOTS AT WAIKIKI FOR SALE.

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Aug. 18, 1896. 384-1m

## Notice.

Public notice is hereby given that the  
authority heretofore given by the under-  
signed to any person or persons to collect  
and receipt for money on account of the  
Estate of M. Goldberg, deceased, is hereby  
revoked. On and after this date no receipt  
will be valid unless signed by one of the  
Executors or their Attorney.

E. D. TENNEY,  
T. C. PORTER,  
Executors Estate M. Goldberg  
Honolulu, Sept. 16, 1896. 409 3t

## IN THE HIGHER COURTS

### SUPREME COURT ORDERS NEW TRIAL FOR EDWARD WOODWARD.

Syllabus of the Decision Overruling  
Judge Magoon—Probate and Other  
Matters in the Circuit Court.

The Supreme Court handed down an opinion yesterday afternoon in the case of Edward Woodward against the Republic of Hawaii on a writ of error. The Woodward case bids fair to become celebrated in the annals of Hawaiian jurisprudence and its history so far is herewith given. The defendant, Edward Woodward, graduated with first honors at Oahu College a few years ago. A few days afterwards he was arrested on a charge of seduction upon complaint of a woman some two years older than himself. He was tried before Judge Perry in the District Court and sentenced to imprisonment for one year. He appealed the case to the Circuit Court and at the next term a jury trial was had before Judge Whiting. In this trial the jury disagreed and the case went over. In the meantime Judge Magoon had succeeded Judge Whiting and the second trial in the Circuit Court took place before him. At this trial the jury found the defendant guilty and he was again sentenced to one year's imprisonment.

After the trial A. S. Humphry, attorney for the defendant, took the case to the Supreme Court on a writ of error, alleging erroneous instructions to the jury by Judge Magoon. In the opinion handed down yesterday the Supreme Court sustains the writ and orders the case sent back to the Circuit Court for retrial.

The syllabus of the decision reads as follows:

When a criminal case entitled the "Republic of Hawaii vs. A. B." is prosecuted by private counsel, the Attorney General's authority to prosecute is presumed, and the constitutional provision that "prosecutions shall be carried on in the name and by the authority of the Republic of Hawaii" is complied with.

An exception to a ruling of the court in the progress of a trial when duly noted and allowed may be assigned as a ground of error, notes as well as bills of exceptions being made, by statute on writs of error, part of the record for the purposes of error. The charge of the court being made by sec. 2, chap. LVI of the Laws of 1892, a part of the record, if duly excepted to and exception allowed, may be the subject of a writ of error.

An instruction that, after evidence of acts of unchastity of a prosecutrix committed repeatedly and within a year or two prior to the alleged seduction, reformation may be presumed without proof, after a reasonable lapse of time, held to be erroneous.

On this last point the court say in their opinion: "Evidence was introduced by the defense of repeated acts of sexual intercourse with several persons within a year or two prior to the alleged seduction. This, if believed, would show the unchaste character of the prosecuting witness prior to the act upon which the prosecution was based. In rebuttal she denied the acts of sexual intercourse, but offered no evidence to show that she had reformed."

We think the instruction of the court on this point was erroneous. It authorized the jury to find that the prosecuting witness had committed repeated acts of sexual intercourse with several persons within a year or two of the alleged seduction and then further find, from the mere lapse of that year or two of time, regardless of other circumstances and in the absence of any evidence of her mode of

## THE BOARD OF HEALTH

### SYNOPSIS OF THE PROCEEDINGS AT YESTERDAY'S MEETING.

Reports of Officials—Insane Asylum to be Wired for Electric Lights—Two Officers Resign.

At the regular meeting of the Board of Health held yesterday afternoon the usual reports from Dr. Monarrat and Inspector Keliipio were received.

Dr. Emerson was chosen to investigate the matter of selling dried fish at the market in conjunction with Mr. Keliipio.

The report of the treasurer of the Kapiolani Maternity Home was read and filed.

A letter was read from Medical Inspector Jordan at Hongkong, stating that owing to the abatement of the plague at that point he was issuing clean bills of health to departing vessels.

A letter from Superintendent Meyer concerning the quality of paial furnished the Leper Settlement was read, and in connection therewith E. H. Bailey, manager of the Hawaiian Fruit and Taro Company, the contractors, was given permission to visit the settlement to investigate complaints.

The resignations of R. A. Lyman as registrar of births and marriages for South Hilo, and that of Thomas W. Hennessy, a clerk in the employ of the Board, were read, but no further action taken.

On motion of Mr. Lansing, chairman of the Insane Asylum Committee, the sum of three hundred dollars was appropriated for wiring the asylum for electric lights.

After the usual executive session the Board adjourned.

### BOARD OF EDUCATION.

#### Investigation on Punishment at the Reform School.

The session of the Board of Education held yesterday afternoon was mainly occupied in investigating a complaint made by Inspector General Townsend against one of the lunas of the Reform School, Kaiole, by name, for whipping a boy with a strap.

Principal Needham of the Reform School was present and defended the action of the luna, claiming that such disciplining as the boy had received was necessary. Incidentally he explained the mode of punishment practiced at the school. The matter was finally left with Minister Cooper for further investigation.

Inspector General Townsend's long report on the proposed increase of salaries for certain teachers was read and approved.

Deputy-Inspector Scott reported that of 108 persons who had attended the recent examinations 62 had obtained primary grade certificates and 9 grammar grade certificates.

### Farewell Social.

A large number of the friends of Rev. T. D. and Mrs. Garvin attended the farewell service and social at the Christian church last night. There was a pleasant literary and musical program, given by Miss Boardman, Miss Eva Matthews, Miss Clymer and Messrs. Covell and Templeton. Mr. Weedon presented a handsome coconut cane to Mr. Garvin from the Chinese mission class, and Mr. Wm. McCandless handed him a purse of money contributed by the congregation.

It is no longer an offense against military discipline for one of the regulars to speak to their ex captain, John Good, and a good many people are not backward in expressing the opinion that such an order never should have been issued.

## SOME YACHTING RULES

### WHICH WILL BE ENFORCED IN SATURDAY'S RACES.

Taken From Yacht Racing Association Rules in Dixon Kemp's Manual of Yachting.

The following rules pertaining to yacht racing are printed for the benefit of those who intend to enter Saturday's races. They are those adopted by the committee and judges for that occasion:

#### YACHTS MEETING.

When two yachts are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the others as follows:

A yacht which is running free shall keep out of the way of a yacht which is close hauled.

A yacht which is close-hauled on the port tack shall keep out of the way of a yacht which is close-hauled on the starboard tack.

When both are running free with the wind on different sides, the yacht which has the wind on the port side shall keep out of the way of the other.

When both are running free with the wind on the same side, the yacht which is to windward shall keep out of the way of the yacht which is to leeward.

A yacht which has the wind aft shall keep out of the way of the other yacht.

#### OVERTAKING ROUNDING MARKS.

When rounding any buoy or vessel used to mark the course, if two yachts are not clear of each other at the time the leading yacht is close to, and actually rounding the mark, the outside yacht must give the other room to pass clear of it, whether it be the lee or weather yacht which is in danger of fouling the mark. No yacht shall be considered clear of another yacht, unless so much ahead as to give a free choice to the other on which side she will pass. An overtaking yacht shall not, however, be justified in attempting to establish an overlap, and thus force a passage between the leading yacht and the mark after the latter yacht has altered her helm for the purpose of rounding.

#### OBSTRUCTIONS TO SEA ROOM.

When passing a pier, shoal, rock, vessel, or other obstruction to sea room, should yachts not be clear of each other, the outside yacht or yachts must give room to the yacht in danger of fouling such obstruction, whether she be the weather or the leeward yacht; provided always that an overlap has been established before an obstruction is actually reached.

#### LUFFING AND BEARING AWAY.

A yacht overtaking any other shall keep out of the way of the overtaken yacht; and a yacht may luff as she pleases to prevent another yacht passing to windward, but must never bear away out of her course to hinder the other passing to leeward—the leeward to be considered that on which the leading yacht of the two carries her main boom. The overtaking vessel, if to leeward, must not luff until she has drawn clear ahead of the yacht she has overtaken.

#### CLOSE-HAULED APPROACHING SHORE.

If two yachts are standing close towards a shore or shoal, or towards any buoy, boat or vessel, and the yacht to leeward is likely to run aground, or foul of such buoy, boat or vessel (a mark vessel excepted) and is not able to tack without coming into collision with the yacht to windward, the latter shall at once tack on being hailed to do so by the owner of the leeward yacht, or the person acting as his representative, who shall be bound to see that his own vessel tacks at the same time.

## TRILBY COMPANY SHOW

### SPLENDID PERFORMANCE TO A ROISING AUDIENCE.

Every Part Beautifully Rendered—Powerful Svengali and Pretty Trilby.

It had been so long since Honolulu had a visit from a high-class theatrical company, owing to the burning of the Opera House, that the people were actually hungry for drama. It is no wonder, then, that the drill shed was crowded to every foot of space last night, to see the performance of Trilby by A. M. Palmer's New York company. The play was staged with remarkable promptitude after the arrival of the steamer Mariposa with the company, the curtain rising about 8:30 o'clock. Following is the cast of characters:

Tadly.....Herbert Carr  
The Laird.....Chas. Canfield  
Little Billie.....Geo. Webster  
Svengali.....Renben Fax  
Gecko.....E. W. Morrison  
Zou-Zou.....Geo. H. Trader  
Rev. Mr. Bagot.....Frank Scouts  
Trilby.....Edith Crane  
Madame Viard.....Jennie Reiffarth  
Mrs. Bagot.....Miss C. Cleveland

As a good judge of plays said this morning, "Everyone was a star in his or her part." The acting and makeup of Mr. Fax as Svengali, in the opinion of many, made the greatest dramatic characterization seen for a long period, if it was ever equaled even, in this city. Miss Crane did not disclose a flaw in her presentation of the titular character, being artistic to a beautiful finish in both gay and melancholy situations. Miss Reiffarth gave a really grand interpretation of the French landlady. Mr. Webster as Little Billie displayed striking forensic talent in the passionate lines of his part. It is needless to specify all of the characters, when, as already intimated in other words, there was not a slow or tame impersonation in the whole performance.

There was never a larger audience here at a theatrical performance, and it is doubtful if there was ever one more generally pleased. This is saying a good deal, when consideration is taken of the unsuitableness of the auditorium, both in its dead level floor and its not excellent acoustics, besides all the disadvantages the performers have to encounter. If the Trilby company should come this way, after the opening of the restored Opera House, it would be certain of an enthusiastic welcome.

### Salvation Army Tea.

IMPORTANT: There are very few things more hurtful than common tea. An eminent English doctor once said: "If the public gave up drinking common tea, the occupation of one half of our profession would be gone." Good tea, however, is refreshing and stimulating, and in introducing this article to the public, the officers of the Salvation Army have taken great pains to secure a tea, which can with the greatest confidence be recommended as being of the very highest standard of excellence, and have decided to sell it at a price within the reach of everybody, and although it will leave us a very small margin of profit indeed, we are satisfied, knowing that what we sell is sure to give satisfaction. Sold in 4lb packets. Memorial Mixture, English Breakfast, Young Hyson, Japan, Oolong, Gunpowder, 30c; Auxiliary, 35c. Telephone 755. H. Cannon, Palama Grocery, opposite Railway Depot, sole agent for the Hawaiian Islands.

If all the tobacco smoked in the British Empire last year were rolled into rope an inch in diameter it would form a snake-like roll, which, following the line of the equator, would go thirty times round the earth.

## HE WROTE TO THE CZAR

### AND IN DUE SEASON A REPLY WAS RECEIVED.

How a Philadelphia Boy Made a Large and Valuable Addition to His Stamp Album.

The Philadelphia Ledger is responsible for the following interesting story: Some time ago the attention of a Philadelphia mother was attracted to her little boy by the fact that he lay at full length on the library floor evidently deeply involved in the intricacies of letter-writing. All inquiries as to the purport and proposed destination of the laborious production failed to elicit further remark than advice to "wait a while." At last the missive ended with a scrawling superscription and an immense sigh of relief, and it was proudly borne to the father and mother that they might be afforded an opportunity of expressing their entire approbation, which was evidently expected.

Imagine their surprise when their eyes fell upon the following:

Dear Czar—Since the death of your father you must have received a great deal of foreign postage stamps on letters from your friends who were sorry for you. I am collecting postage stamps, and if you will please send me a good lot of yours I will send you some American ones in return.

The parents at first laughed at the idea, but the little man was so evidently pleased with this idea of his young brain that they finally determined to allow him to mail it, never imagining that it would really fall beneath the royal gaze.

With both the parents and the child the thing was already fast becoming a thing of the forgotten past, when the mail of a few mornings ago brought the young fellow a rather bulky envelope, bearing upon it the seal and arms of the royal house of Russia. To the little fellow's delight he found, on opening it, that it was packed with stamps of all nationalities.

The labored missive had evidently reached its destination and had spelled out to the heart of the Czar, in all the excitement of his coronation ceremonies, such a message of childish innocence as made refusal impossible.

### Racine Coffee and Rice Mills.

In this issue the Hawaiian Hardware Company calls attention to the Racine rice and coffee cleaning and grading mills they have recently imported. A BULLETIN reporter was shown some of them yesterday and they seem to be admirably adapted for the purpose intended. Their mechanism is simple and durable and the sieves and trays can be changed so as to permit of using them for either rice or coffee. Their low price puts them within the reach of anyone and they are so simple that a boy can operate them.

### The Alameda's Cat.

"Tom," the pet cat of the Alameda, has a new collar and takes care that everybody sees it. He still keeps watch and ward over the quarters of Chief Engineer Little, but since the new silver collar was fastened around his neck he has not been nearly as aggressive as formerly. The collar bears the inscription, "Old Tom, S. S. Alameda. Presented by his American admirers July 4, 1896." Chief Little asserts that Tom is a "gold" cat and that a silver collar has taken all the fight out of him.—The Call.

The Universal Stoves and Ranges are going off like hot cakes at the Pacific Hardware Co.

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Continued on 8th Page.